

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>IN RE: GENERIC DIGOXIN AND</b>	:	<b>MDL NO. 2724</b>
<b>DOXYCYCLINE ANTITRUST LITIGATION</b>	:	<b>16-MD-2724</b>
	:	
<b>THIS DOCUMENT RELATES TO:</b>	:	<b>HON. CYNTHIA M. RUFE</b>
	:	
<i>Falconer Pharmacy v. Allergan PLC, et al.</i>	:	<b>Civil Action No. 17-973</b>

**PRETRIAL ORDER NO. 15**  
**(BRIEFING ON THE MOTIONS TO DISMISS)**

**AND NOW**, this 10th day of April 2017, as Falconer Pharmacy, Inc. and Southside Pharmacy Inc. (the “Indirect-Reseller Plaintiffs”) and Defendants have reached a stipulation [attached] regarding appropriate page limitations for memoranda in support of, opposition to, and further support of Defendants’ motions to dismiss, it is hereby **ORDERED** that:

1. **Motions to Dismiss Briefing Schedule**

- a. Defendants shall answer, move or otherwise plead in response to the Indirect-Reseller Plaintiffs’ Amended Class Action Complaint [Doc. No. 3] by May 12, 2017.
  - i. Defendants shall make good-faith efforts to coordinate and consolidate common legal arguments in any motions to dismiss and accompanying briefs (the “Common Motion”).
  - ii. Defendants are permitted to submit individual motions and briefs to allow for Defendant-specific arguments (the “Individual Motion”).
- b. The Indirect-Reseller Plaintiffs shall file and serve any responses in opposition thereto by June 19, 2017.

c. Any replies shall be filed by July 14, 2017.

2. **Motions to Dismiss Page Limitations**

a. Defendants' memorandum of law in support of the Common Motion may not exceed 30 pages.

i. The Indirect-Reseller Plaintiffs' memorandum of law in opposition thereto may not exceed 30 pages.

ii. Defendants' reply memorandum of law in further support of their Common Motion may not exceed 15 pages.

b. Each Defendant's memorandum of law in support of its Individual Motion may not exceed 15 pages.

i. The Indirect-Reseller Plaintiffs' memorandum of law in opposition to each Individual Motion may not exceed 15 pages per opposition.

ii. Each Defendant's reply memorandum of law in further support of its Individual Motion may not exceed seven pages.

c. The page limits set forth above do not include any caption, table of contents, table of authorities, signature pages, and exhibits.

3. **Prior Pretrial Orders**

a. All prior Pretrial Orders entered by the Court are binding on the Indirect-Reseller Plaintiffs and Defendants.

It is so **ORDERED**.

BY THE COURT:

  
CYNTHIA M. RUFE, J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GENERIC DIGOXIN AND  
DOXYCYCLINE ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:  
2:17-cv-00973

MDL NO. 2724  
16-MD-2724

HON. CYNTHIA M. RUFÉ

JOINT STIPULATION AND [PROPOSED]  
PRETRIAL ORDER NO. 12/5

AND NOW, this \_\_ day of \_\_\_\_\_, 2017, as Plaintiffs Falconer Pharmacy, Inc. and Southside Pharmacy Inc. (the “Indirect-Reseller Plaintiffs”) and Defendants have reached a stipulation, it is hereby **ORDERED** that:

1. **Motions to Dismiss Briefing Schedule**

- a. Defendants shall answer, move or otherwise plead in response to the Indirect-Reseller Plaintiffs’ Amended Class Action Complaint (Dkt. No. 3) by May 12, 2017.
  - i. Defendants shall make good-faith efforts to coordinate and consolidate common legal arguments in any motions to dismiss and accompanying briefs (the “Common Motion”).
  - ii. Defendants are permitted to submit individual motions and briefs to allow for Defendant-specific arguments (the “Individual Motion”).
- b. The Indirect-Reseller Plaintiffs shall file and serve any responses in opposition thereto by June 19, 2017.

c. Any replies shall be filed by July 14, 2017.

**2. Motions to Dismiss Page Limitations**

- a. Defendants' memorandum of law in support of the Common Motion may not exceed thirty (30) pages.
  - i. The Indirect-Reseller Plaintiffs' memorandum of law in opposition thereto may not exceed thirty (30) pages.
  - ii. Defendants' reply memorandum of law in further support of their Common Motion may not exceed (15) pages.
- b. Each Defendant's memorandum of law in support of its Individual Motion may not exceed fifteen (15) pages.
  - i. The Indirect-Reseller Plaintiffs' memorandum of law in opposition to each Individual Motion may not exceed fifteen (15) pages per opposition.
  - ii. Each Defendant's reply memorandum of law in further support of its Individual Motion may not exceed seven (7) pages.
- c. The page limits set forth above are exclusive of any caption, table of contents, table of authorities, signature pages and exhibits.

**3. Prior Pretrial Orders**

- a. All prior Pretrial Orders entered by the Court are binding on the Indirect-Reseller Plaintiffs and Defendants.

**IT IS SO STIPULATED AND ORDERED.**

Dated: April 7, 2017

Respectfully submitted,

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Jonathan W. Cuneo

/s/ Jan P. Levine  
Jan P. Levine

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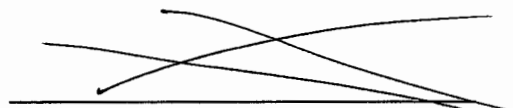
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***Defendants' Liaison Counsel***

Date: \_\_\_\_\_

APPROVED BY THE COURT:

  
\_\_\_\_\_  
**The Honorable Cynthia M. Rufe**